



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: The Commissioners
Staff Director
Deputy Staff Director
General Counsel

FROM: Office of the Commission Secretary 

DATE: January 4, 2001

SUBJECT: Statement of Reasons for MUR 5060

Attached is a copy of the Statement of Reasons for MUR 5060 signed by Chairman Darryl R. Wold, Vice Chairman Danny L. McDonald, Commissioner David M. Mason, Commissioner Karl J. Sandstrom, Commissioner Bradley A. Smith, and Commissioner Scott E. Thomas.

This was received in the Commission Secretary's Office on Thursday, January 4, 2001 at 2:06 p.m.

cc: Vincent J. Convery, Jr.
Press Office
Public Information
Public Disclosure

Attachment



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WASHINGTON, D.C. 20463

In the Matter of

American Legion Magazine

MUR 5060

STATEMENT OF REASONS

On August 9, 2000, Robert S. McCurry filed a complaint against the American Legion magazine and the VideoEye Corporation for a potential FECA violation for "corporate sponsorship of a political ad." The VideoEye Corporation had placed an advertisement in the American Legion magazine that promoted the corporation's magnifying device for persons with poor eyesight because of macular degeneration. The device enlarged items onto a large screen monitor. The advertisement showed what appeared to be a newspaper article being enlarged. The article included the name "George Bush" and later contained the phrase "former president." The complaint alleged the advertisement was a corporate contribution. This matter was given separate consideration at the request of Commissioner Smith, in the belief it could be addressed expeditiously and substantively by the Commission with minimal effort.

Section 441b of Title 2, United States Code, prohibits any corporate contribution or expenditure "in connection with any election to any political office." The complaint seems to allege that the advertisement was a contribution to the George W. Bush presidential campaign of 2000 because the name "George Bush" appeared in the advertisement. In fact, the enlarged article was referring to George H. W. Bush, the former president, who was not a candidate for any federal election in 2000. The advertisement did not appear to refer to either any federal candidate or election. The advertisement promoted a business product, and did not communicate a political statement. The complaint thus fails to allege an apparent violation on its face and should be dismissed.

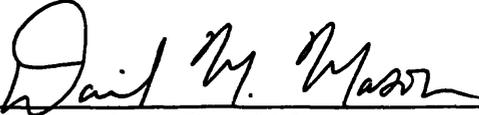
Accordingly, on November 28, 2000, the Commission voted 6-0 to activate MUR 5060, find no Reason To Believe there was a violation of FECA and close the file.

Darryl Wold
Chairman Darryl Wold

12/30/00
Date

Danny McDonald
Vice Chairman Danny McDonald

12/30/00
Date



Commissioner David Mason

12/28/00

Date



Commissioner Karl Sandstrom

1/4/01

Date



Commissioner Scott Thomas

1/4/01

Date



Commissioner Bradley Smith

12/27/00

Date

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